

Calendar No. 658

106TH CONGRESS
2D SESSION

S. CON. RES. 124

Expressing the sense of the Congress with regard to Iraq's failure to release prisoners of war from Kuwait and nine other nations in violation of international agreements.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2000

Mr. MURKOWSKI (for himself, Mr. ASHCROFT, Mr. BROWNBACK, and Mr. TORRICELLI) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

JUNE 30, 2000

Reported by Mr. HELMS, without amendment

CONCURRENT RESOLUTION

Expressing the sense of the Congress with regard to Iraq's failure to release prisoners of war from Kuwait and nine other nations in violation of international agreements.

Whereas in 1990 and 1991, thousands of Kuwaitis were randomly arrested on the streets of Kuwait during the Iraqi occupation;

Whereas in February 1993, the Government of Kuwait compiled evidence documenting the existence of 605 prisoners of war and submitted its files to the International Com-

mittee of the Red Cross (ICRC), which passed those files on to Iraq, the United Nations, and the Arab League;

Whereas numerous testimonials exist from family members who witnessed the arrest and forcible removal of their relatives by Iraqi armed forces during the occupation;

Whereas eyewitness reports from released prisoners of war indicate that many of those who are still missing were seen and contacted in Iraqi prisons;

Whereas official Iraqi documents left behind in Kuwait chronicle in detail the arrest, imprisonment, and transfer of significant numbers of Kuwaitis, including those who are still missing;

Whereas in 1991, the United Nations Security Council overwhelmingly passed Security Council Resolutions 686 and 687 that were part of the broad cease-fire agreement accepted by the Iraqi regime;

Whereas United Nations Security Council Resolution 686 calls upon Iraq to arrange for immediate access to and release of all prisoners of war under the auspices of the ICRC and to return the remains of the deceased personnel of the forces of Kuwait and the Member States cooperating with Kuwait;

Whereas United Nations Security Resolution 687 calls upon Iraq to cooperate with the ICRC in the repatriation of all Kuwaiti and third-country nationals, to provide the ICRC with access to the prisoners wherever they are located or detained, and to facilitate the ICRC search for those unaccounted for;

Whereas the Government of Kuwait, in accordance with United Nations Security Council Resolution 686, imme-

diately released all Iraqi prisoners of war as required by the terms of the Geneva Convention;

Whereas immediately following the cease-fire in March 1991, Iraq repatriated 5,722 Kuwaiti prisoners of war under the aegis of the ICRC and freed 500 Kuwaitis held by rebels in southern Iraq;

Whereas Iraq has hindered and blocked efforts of the Tripartite Commission, the eight-country commission chaired by the ICRC and responsible for locating and securing the release of the remaining prisoners of war;

Whereas Iraq has denied the ICRC access to Iraqi prisons in violation of Article 126 of the Third Geneva Convention, to which Iraq is a signatory; and

Whereas Iraq—under the direction and control of Saddam Hussein—has failed to locate and secure the return of all prisoners of war being held in Iraq, including prisoners from Kuwait and nine other nations: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring), That—*

3 (1) the Congress—

4 (A) acknowledges that there remain 605
5 prisoners of war unaccounted for in Iraq, al-
6 though Kuwait was liberated from Iraq's brutal
7 invasion and occupation on February 26, 1991;

8 (B) condemns and denounces the Iraqi
9 Government's refusal to comply with inter-

1 national human rights instruments to which it
2 is a party;

3 (C) urges Iraq immediately to disclose the
4 names and whereabouts of those who are still
5 alive among the Kuwaiti prisoners of war and
6 other nations to bring relief to their families;
7 and

8 (D) insists that Iraq immediately allow hu-
9 manitarian organizations such as the Inter-
10 national Committee of the Red Cross to visit
11 the living prisoners and to recover the remains
12 of those who have died while in captivity; and

13 (2) it is the sense of the Congress that the
14 United States Government should—

15 (A) actively and urgently work with the
16 international community and the Government of
17 Kuwait, in accordance with United Nations Se-
18 curity Council Resolutions 686 and 687, to se-
19 cure the release of Kuwaiti prisoners of war
20 and other prisoners of war who are still missing
21 nine years after the end of the Gulf War; and

22 (B) exert pressure, as a permanent mem-
23 ber of the United Nations Security Council, on
24 Iraq to bring this issue to a close, to release all
25 remaining prisoners of the Iraqi occupation of

- 1 Kuwait, and to rejoin the community of nations
- 2 with a humane gesture of good will and de-
- 3 cency.

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